



CERTIFICATE OF MAILING
37 C.F.R. 1.8

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Gina N. Shishima

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

C. Marcelo Aldaz and
Andrzej Bednarek

Serial No.: 09/978,318

Filed: October 15, 2001

For: WWOX: A TUMOR SUPPRESSOR GENE
MUTATED IN MULTIPLE CANCERS

Group Art Unit: 1653

Examiner: SHEELA JITENDRA HUFF

Atty. Dkt. No.: UTSC:671US

DECLARATION OF C. MARCELO ALDAZ, M.D. AND ANDRZEJ BEDNAREK, PH.D.

UNDER 37 C.F.R. § 1.131

We, C. Marcelo Aldaz and Andrzej Bednarek, hereby declare as follows:

1. We are the named joint inventors of the above-referenced patent application.
2. It is our understanding that the examiner in charge of the above-captioned application has advanced a rejection of the claims over the reference WO 02/12544, which is a publication of a patent application apparently filed on August 7, 2000.
3. Our April 2000 paper Bednarek *et al.*, *Cancer Research*, 60:2140 (2000) ("Bednarek reference") discloses the predicted 414 amino acid sequence of WWOX, which is disclosed in our

patent application. This is evidence that we invented the WWOX polypeptide sequence before WO 02/12544 was filed.

4. I hereby declare that all statements made of my own knowledge are true and all statements made on information are believed to be true and further that the statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both under § 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of this application or any patent issued thereon.

01/07/05
Date
01/07/05
Date

C. Marcelo Aldaz
C. Marcelo Aldaz, M.D.
Andrzej K. Bednarek
Andrzej Bednarek, Ph.D.